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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,662	03/25/2004	Mary Ellen Siksa	END920030154US1	7813
36380	7590	08/19/2008		
RICHARD M. GOLDMAN 371 ELAN VILLAGE LANE Suite 209 San Jose, CA 95134			EXAMINER SHRESTHA, BLEENDRA K	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 08/19/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/09,662

Applicant(s)

SIKSA, MARY ELLEN

Examiner

BIJENDRA K. SHRESTHA

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-14, 16-25 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-14, 16-25 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-30 are presented for examination. Applicant filed an amendment on 05/05/2008 amending independent claims 1-4, 6-14, 16-24 and 26-29, canceling claims 5, 15 and 26. After careful consideration of applicant's arguments and amendments, the Examiner maintains the grounds of rejections of claims as set forth in detail below. Applicant's arguments with respect to claims have been considered but found not persuasive.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-4, 6-14, 16-24 and 26-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "flowing" is not described in the specification except "sheer volume of records flowing from feeders to the billing system (page 3, lines 5-6)". Examiner interprets "flowing" as any products or service that have a flow. Appropriate correction required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-14 16-25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Metzger U.S. Pub No. 2004/0186760 (reference A in attached PTO-892) in view of Tandon et al., U.S. Pub No. 2005/0177470 (reference B in attached PTO-892)

5. As per claim 1,11 and 21, Metzger teaches a computer system and method of reconciling records of resource consumption at a plurality of resource consumption sites for incorporation into aggregate business records of the flowing resource consumption at a target site (see Fig. 1 and 2; paragraph [0023]), comprising the steps of:

a. collecting and recording flowing resource consumption at resource consumption sites (see Fig. 1, In-Flight Terminal, paragraph [0026]; Fig. 7G; paragraphs [0052] and [0053]; where resource consumption sites are airlines having plurality of flights).

b. reconciling records of flowing resource consumption between the resource consumption sites and the target site (see Fig.1 and 2 paragraph [0023]; where target site is Facilitator Back-office Subsystem (208));

- i. retrieving the records from the resource consumption feeder and interim control points (see Fig. 2, paragraph [0031]; where catering inventory is unloaded from Portable Terminal Device).
 - ii. comparing at least one of:
 - (a). resource consumption totals in the records from the resource consumption feeders with the resource consumption totals in the aggregated records at the target site (see paragraph [0023] ; where web portal and portable device promote reconciliation and accountability of catering and other flight inventory); and
 - (b). total number of resource consumption records forwarded from the resource consumption feeders with the total number of resource consumption records aggregated at the target site(see paragraph [0023] ; where web portal and portable device promote reconciliation and accountability of catering and other flight inventory); and
 - c. aggregating the records of flowing resource consumption into aggregate business records of the resource consumption at the target site (see Fig. 1, Settlement (130); paragraph [0027]).
- Metzger does not teach iii). issuing a notification, if an error is discovered; and
- iv). continuing comparing records until all records are reconciled if no errors are detected.

Tandon et al. teach issuing a notification, if an error is discovered; and d. continuing comparing records until all records are reconciled if no errors are detected (see Fig. 3; paragraph [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add issuing a notification, if an error is discovered; and continuing comparing records until all records are reconciled if no errors are detected of Metzger because Tandon et al. teach including above features would enable to identify any error immediately(Tandon et al., paragraph [0037], first sentence).

6. As per claims 2, 12 and 22, Metzger teaches the computer system and method wherein

the aggregate business records of the flowing resource consumption at the target site comprise billing records (see Fig. 8A and 8B).

7. As per claims 3, 13 and 23, Metzger teaches the computer system and method comprising:

aggregating reconciled records of flowing resource consumption into aggregate business records of the resource consumption at the target site (see Fig. 2, paragraph [0027]).

8. As per claims 4, 14 and 24, Metzger teaches the computer system and method comprising

aggregating the records of flowing resource consumption into aggregate business records of the flowing resource consumption at the target site and thereafter

reconciling the aggregated records at the target site (see Fig. 2; paragraph [0027] and [0032]).

9. As per claims 6, 16 and 25, Metzger teaches computer system and method as described in claim 1 above.

Metzger does not teach a. logging the reconciliation session start time, b. retrieving the last session start time; and e. issuing a notification, logging session status, and ending the reconciliation if an error is discovered; and f. continuing comparing records, issuing a report, and logging session status if no errors are detected until all records are reconciled.

Tandon et al. teach a. logging the reconciliation session start time, b. retrieving the last session start time (Tandon et al, Fig. 1, Login (202) and Schedule (204); paragraph [0033] and [0034]); and e. issuing a notification, logging session status, and ending the reconciliation if an error is discovered; and f. continuing comparing records, issuing a report, and logging session status if no errors are detected until all records are reconciled (see Fig. 3, step 310; paragraph [0037] and [0044]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add logging the reconciliation session start time, retrieving the last session start time and issuing a notification, logging session status, and ending the reconciliation if an error is discovered; and continuing comparing records, issuing a report, and logging session status if no errors are detected until all records are reconciled of Metzger because Tandon et al. teach including above features would enable validation of authorized user login and password data to allow access to

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stored financial data (Tandon et al., paragraph [0033]), schedule reconciliation sessions with remote terminals (paragraph [0034]), and rapid identification and reporting of any imbalance or un-reconciled data that may expose business to undue financial loss (paragraph [0018], last sentence).

10. As per claims 7-9, 17-19 and 27-29, Metzger teaches the computer system and method wherein

the flowing resource comprises electrical kilowatt hours, telephone connect time, liquids and gases chosen from the group consisting of fuels, chemical feedstocks, and water (see Fig. 4A, paragraph [0030]; the in flight inventory could include some of these items; telephone connect time include using telephone line during the flight; the Examiner notes that this prior art can be applied to power supplies, telecommunication services as well).

11. As per claims 10, 20 and 30, Metzger teaches the computer system and method wherein

the aggregate business records are chosen from the group consisting of transfer records and invoices and units of flowing resource consumption (see Fig. 4B, 8A and 8B).

Response to Arguments

12. With respect to applicant's arguments and amendments, the Examiner maintains the grounds of rejections of claims. Applicant's arguments with respect to claims have been considered but found not persuasive.

The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "flowing" is not described in the specification except "sheer volume of records flowing from feeders to the billing system (page 3, lines 5-6)". Examiner interprets "flowing" as any products or service that have a flow and cited references meet the limitations of claims recited by the applicant.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., continuous system) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. Applicant is required under 37 CFR 1.111(c) to consider references fully when responding to this action.

The following are pertinent to current invention, though not relied upon:

Bracken et al. (U.S. Pub No. 2005/0044015) teach architecture for account reconciliation.

Crooks et al. (U.S. Patent No. 5,943,656) teach methods and systems for computerized bill consolidation.

Hwang (U.S. Pub No. 2005/0187852) teach method and system for account reconciliation in wealth management system.

Pinstov (U.S. Pub No. 2003/0036918) teaches system and method for trusted self-bill and payment for utilities including audit, verification, reconciliation and dispute resolution.

Provinse (U.S. Pub No. 2002/0026416) teaches system and method for account reconciliation.

Rahn et al. (U.S. pub No. 2004/0054685) teach pharmacy automated accounts receivable system and methods.

Rugge (U.S. Patent No. 7,240,028) teaches automated financial register reconciliation in a combined user interface.

Sandel et al. (U.S. Patent No. 6,771,758) teach reconciling database information among service providers.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 7:00AM-4:30PM (Monday-Friday); 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art
Unit 3691

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